

AO 440 (Rev. 12/09) Summons in a Civil Action

JUDGE BRODERICK

UNITED STATES DISTRICT COURT

for the

Southern District of New York

PETER D. SCHIFF, AND EURO PACIFIC CAPITAL
INC.

Plaintiff

v.

YAYI INTERNATIONAL INC.

Defendant

15 CV 00359

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Yayi International Inc.,
c/o The Corporation Trust Company, Corporation Trust Center 1209 Orange St.
Wilmington, Delaware 19801

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

David Graff, Esq.
Anderson Kill P.C.
1251 Avenue of the Americas
New York, NY 10020-1182
Tel: (212) 278-1000

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

KUBY F. CRAIG

CLERK OF COURT

Date:

JAN 16 2015

[Signature]
Signature of Clerk or Deputy Clerk

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Civil Action No. 15-CV-000359

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* Yayi International Inc.
 was received by me on *(date)* 01/30/2015

☐ I personally served the summons on the individual at *(place)* _____

on *(date)* _____ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____

, a person of suitable age and discretion who resides there,

on *(date)* _____, and mailed a copy to the individual's last known address; or

☒ I served the summons on *(name of individual)* Amy McLaren, Managing Agent, who is
 designated by law to accept service of process on behalf of *(name of organization)* Yayi International Inc.

on *(date)* 01/30/2015 ; or


☐ I returned the summons unexecuted because _____ ; or

☐ Other *(specify)*: _____

My fees are \$ _____ for travel and \$ 95.00 for services, for a total of \$ 95.00.

I declare under penalty of perjury that this information is true.

Date: 02/02/2015


Server's signature

Daniel Newcomb, Process Server

Printed name and title

Delaware Attorney Services
3516 Silverside Rd., Suite 16
Wilmington, DE 19810

Server's address

Additional information regarding attempted service, etc:

Service was made on 01/30/2015 at 3:00 PM, at Corporation Trust Co., Registered Agent, 1209 Orange St.,
 Wilmington, DE 19801

Documents Served: Summons in a Civil Action; Notice of Motion for Summary Judgment in Lieu of Complaint;
 Memorandum of Law in Support of Plaintiff's Motion for Summary Judgment in Lieu of Complaint; Local Rule 56.1
 Statement of Undisputed Facts; Affidavit of Peter Chema in Support of Motion for Summary Judgment in Lieu of
 Complaint; Individual Rules of Practice of Judge Kevin Nathaniel Fox; Individual Rules & Practices in Civil Cases of
 Vernon S. Broderick, United States District Judge